

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

A Regular Meeting of the Aransas Pass City Council was held on Monday, September 6, 2016 in the Aransas Pass City Hall, 600 W. Cleveland Blvd., Aransas Pass, Texas 78336. A notice of the meeting was posted 72 hours in advance in accordance with Section 551, Texas Government Code. Mayor Adan Chapa, and Council Members Vickie Abrego, Billy Ellis, Phillip Hyatt and Carrie Scruggs were present. Also present were City Manager Sylvia Carrillo and City Attorney Allen Lawrence.

1. **CALL MEETING TO ORDER.**

Mayor Chapa called the meeting to order at 7:00 pm.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**

Mayor Chapa gave the Invocation and led the Pledge of Allegiance to the United States Flag.

3. **PRESENTATIONS AND PROCLAMATIONS:**

There were no Presentation Items.

4. **BOARD AND COMMISSION APPOINTMENTS:**

a. Building Board of Standards and Appeals

City Manager Carrillo informed the Council that terms were expiring for Jen Rubinowitz and Michael Moore and both have expressed an interest in being reappointed.

A motion was made by Mayor Pro Tem Ellis to reappoint Jen Rubinowitz (Realtor) and Michael Moore (Business Owner), seconded Council Member Hyatt, and the motion carried.

b. Planning and Zoning Commission

City Manager Carrillo informed the Council that terms are expiring for Randall Freeze, Cynthia Vasquez and Carol Salinas and they have expressed an interest in being reappointed.

A motion was made Council Member Hyatt to reappoint Randall Freeze, Cynthia Vasquez and Carol Salinas, seconded by Council Member Abrego, and the motion carried.

5. **CONSENT AGENDA:**

5.I. Ordinance No. 2016-4163 annexing adjacent and contiguous territory to the City of Aransas Pass, pursuant to Article 43.028, Texas Local Government Code; finding that all necessary and required legal conditions have been satisfied; providing that such area shall become a part of the city and that owners and inhabitants thereof shall be bound by the acts and ordinances now in effect and to be hereinafter adopted; providing a severability clause; and providing an effective date.

5.II. Ordinance No. 2016-4164 amending the Code of Ordinances by revising Section 5-116, Basis for Establishing Areas of Special Flood Hazard, Article VIII – Flood Damage Prevention; providing a repealer clause; and providing for an effective date.

5.III. Ordinance No. 2016-4165, Ordinance of the City of Aransas Pass, Texas amending the Code of Ordinances, Section 9-20, Adoption of Fire Prevention Code, by adding provisions regarding inspections; and amending Section 5-2, "Amendments to and modification of Building Code; Building Permit Fee Schedule", Subsection M, "Annual Fire Inspection Fee"; and providing for an effective date.

5.IV. Approval of Minutes of August 22, 2016.

A motion was made by Council Member Hyatt to approve Items 5.I through 5.IV, seconded by Council Member Abrego, and the motion carried.

6. PUBLIC HEARING:

6.I-a Public hearing on the Aransas Pass Municipal Development District Budget for FY 2016-2017.

City Attorney Lawrence declared the public hearing open for the Municipal Development District budget for FY 2016-2017. City Manager Carrillo stated that the MDD has a portion of sales tax that is allocated to the District, and that the MDD funds the Aquatic Center and Civic Center. Ms. Carrillo stated that the MDD receives sales tax and interest income totaling \$843,000, and debt obligation in the amount of \$559,000, which is still paying the outstanding Certificates of Obligation for the Civic Center. In addition, they also contribute to the operating deficit for the Civic Center of approximately \$250,000, which leaves an operating balance of \$655.87 in the MDD budget.

Council Member Abrego asked if funds were already allocated for the carpet replacement in the current budget, and Ms. Carrillo responded in the affirmative.

There being no further comments, City Attorney Lawrence declared the public hearing closed.

6.I-b. Consider and Act on Resolution No. 2016-788 adopting the Aransas Pass Municipal Development District Budget for FY 2016-2017.

Mayor Chapa stated that he serves as a member of the MDD Board and would be abstaining from voting on this item. A motion was made by Council Member Hyatt to approve Item No. 6.I (b), seconded by Council Member Abrego, and the motion carried; Chapa abstained.

6.II-a Public hearing on the Aransas Pass Crime Control & Prevention District Budget for FY 2016-2017.

City Attorney Lawrence declared the public hearing open for the Crime Control & Prevention District for Fiscal Year 2016-2017. City Manager Carrillo stated that the CCPD receives sales tax of approximately \$807,000. She stated and that the major expense is to fund police services and that the proposed amount is \$697,000, leaving a revenue account of 109,862. She added that the fund is saving for a Building Fund for a Public Safety Building.

There being no further comments, City Attorney Lawrence declared the public hearing closed.

6.II-b Consider and Act on Resolution No. 2016-789 adopting the Aransas Pass Crime Control & Prevention District Budget for FY 2016-2017.

A motion was made by Council Member Abrego to approve Item 6.II (b), seconded Council Member Hyatt, and the motion carried.

6.III.a. Public hearing on the Year 2016 Tax Rate.

City Attorney Lawrence declared the public hearing open for the 2016 Tax Rate. City Manager Carrillo stated that the proposed tax rate is the effective rate of \$0.688655 and a no increase rate. City Attorney Lawrence stated that there have been two prior public hearings on the Tax Rate.

There being no further comments, City Attorney Lawrence declared the public hearing close.

6.III.b. Consider and Act on Ordinance 2016-4166 levying upon the assessed valuation of the property within the City of Aransas Pass, Texas subject to taxation, a certain sum upon each one hundred (\$100.00) dollars of valuation sufficient to raise the amount estimated to be requested in the annual budget, less the amount estimated to be received from fines, licenses, and other sources of revenue.

A motion was made by Council Member Hyatt to approve Item No. 6.III (b), seconded by Mayor Pro Tem Ellis, and the motion carried.

6.IV-a Public hearing on the Aransas Pass Operating Budget for FY 2016-2017.

City Attorney Lawrence declared the public hearing open for the Operating Budget for FY 2016-2017 and added that this is the third public hearing for this item. City Manager Carrillo stated the changes to the annual budget from prior years, are the proposal of the 3% to the General Fund into the Reserves; the increase in staff costs, maintain the tax rate, and continue to plan for projected growth in the area. Ms. Carrillo added that the budget that is being submitted is a balanced budget, with \$9.85 million in revenues and \$9.835 million in expenditures.

Mayor Chapa asked if the budget included an increase for the City Manager, and Ms. Carrillo responded No, and added that few staff will be receiving an increase. She stated that what was incorporated are performance bonuses in \$50 increments for some departments.

There being no further comments, City Attorney Lawrence declared the public hearing closed.

6.IV-b Consider and Act on Ordinance No. 2016-4167 adopting the Annual Budget of the City of Aransas Pass, Texas for Fiscal Year 2016-2017 estimating the revenues for said Fiscal Year; appropriating for the purposes stated the sums set forth in said budget; designating the City Manager as the individual who may make requisitions for encumbrances against appropriations; and directing the City Manager to make necessary entries upon the books and account of the City to show the appropriation and allocations herein provided.

A motion was made by Council Member Hyatt to approve Item 6.IV (b), seconded by Council Member Abrego, and the motion carried.

7. CITY MANAGER

- 7.I. Consider and Act on request from Destination Downtown Aransas Pass to temporarily close Houston Street, from Goodnight Avenue to Wilson Avenue on November 5, 2016, from 7:00 am to 5:00 pm for the Sea of Treasures Rummage Sale.

City Manager Carrillo stated this is a request from Destination Downtown, a 501c3 organization, to temporarily close Houston Street, from Goodnight to Wilson for the Sea of Treasures Rummage Sale Rummage Sale, which is dedicated to downtown merchants to promote businesses.

Council Member Hyatt asked if Destination Downtown would be requesting road closures on a quarterly basis, and Ms. Carrillo stated it was her understanding that this was for their big event.

A motion was made by Mayor Pro Tem Ellis to approve Item 7.I, seconded by Council Member Hyatt, and the motion carried.

- 7.II. Consider and Act on appointing the position of Staff Accountant as an additional signatory for the withdrawal of funds from the City Depository, and remove the position of Director of Finance and Donna Cox as a Signatory Authority.

City Manager Carrillo introduced Amber Ybarra, the new Staff Accountant and stated that the purpose of this item is to remove Donna Cox as signatory from the City's bank accounts.

Mayor Chapa stated that with this appointment, the City will have three signators, and Ms. Carrillo responded in the affirmative.

A motion was made by Council Member Abrego to approve Item 7.II, seconded by Council Member Hyatt, and the motion carried.

8. COMMUNITY ENRICHMENT:

There were no Community Enrichment items.

9. DEVELOPMENT SERVICES:

- 9.I. Consider and Act on request for reimbursement from the San Patricio County Drainage District in the amount of \$88,000.00.

City Manager Carrillo stated that this is a request for reimbursement from the San Patricio County Drainage District. Ms. Carrillo stated that residents pay a monthly fee which is included in the utility bill to San Patricio Drainage District for the purpose of maintaining ditches.

Council Member Abrego asked if this was the first time the City has requested a reimbursement from the San Patricio Drainage District, and Ms. Carrillo stated that this would be the second request. She stated that a few years ago, the City requested over \$300,000 that was used for repairs and purchase of equipment.

Council Member Hyatt asked how will the \$88,000 be used, and Ms. Carrillo stated that these funds would be used for operations expense for streets and drainage. Ms. Carrillo

added that the request should occur annually as part of the regular city budget, because it is a reimbursement coming into the City, and if not requested it remains at the district.

Council Member Abrego asked how much is contributed to the District, and Ms. Carrillo stated that residents contribute approximately \$100 on their property tax bill and only a portion comes back to the City and the District retains a portion.

A motion was made by Mayor Pro Tem Ellis to approve Item 9.I, seconded by Council Member Hyatt, and the motion carried.

9.II. Consider and Act on approving Change Order No. 1 for the N. 13th Street Infrastructure Replacement Project.

Fernando Quintanilla, Director of Public Works stated that this item is for a Change Order for the N. 13th Street Infrastructure project, for sewer improvements, a clay waterline that will also be replaced, and three manholes, and this will complete the road.

Mayor Chapa asked what the timeframe was for completion, and Mr. Quintanilla responded that the project should take about a month. Ms. Carrillo added that the total amount for completion of 13th Street Reconstruction is just under half a million dollars.

A motion was made Council Member Hyatt to approve Item 9.II, seconded by Council Member Abrego, and the motion carried.

9.III. Consider and Act on awarding J.J. Fox Construction the construction of new ramp and canopy at the Public Works Service Center.

Fernando Quintanilla, Director of Public works stated that the Public Works Service Center added a manufactured building with an aluminum staircase and does not comply with ADA standards. Mr. Quintanilla stated that the building includes a conference room where meetings with developers and contractors is used regularly. A bid in the amount of \$14,000 was received to bring it up to standards.

A motion was made by Council Member Hyatt to approve Item 9.III, seconded by Council Member Abrego, and the motion carried.

At this time, Mayor Chapa stated that a matter was brought to his attention and recognized the excellent work of Officer Prado during a service call. He thanked Mr. Prado and stated that public officials represent the City of Aransas Pass and thanked them for their good work.

10. **FINANCE:**

There were no Finance items.

11. **INFORMATION TECHNOLOGY:**

There were no Information Technology items.

12. **PUBLIC SAFETY:**

13. **CITIZEN COMMENTS:**

Sam De Leon spoke of two concerns: 1) interested in doing volunteering work and would like to clean up the City Hall area by painting lines around the building on the weekends, and cleanup the parking lot. Ms. Carrillo stated that Mr. De Leon would need to sign a Hold Harmless Agreement in the event of an accident that the City would not be liable; and 2) suggested that when the Police Department pulls a car over, that they get off the road and pull into a parking lot to avoid an accident.

14. **EXECUTIVE SESSION:**

14.I. The meeting was recessed into Executive Session at 7:26 pm under the provisions of Section 551, Texas Government Code to discuss the authority of:

- a. Section 551.071 – Consultation with City Attorney: Seagrass Mitigation.
- b. Section 551.074 – Personnel Matters: City Secretary.

The Council returned from Executive Session at 7:38 pm

- a. Section 551.071 – Consultation with City Attorney: Seagrass Mitigation.

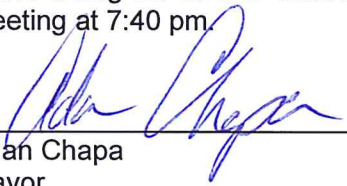
A motion was made by Mayor Pro Tem Hyatt to appoint Bellaire Environmental for the Seagrass Mitigation not to exceed \$150,000, seconded by Mayor Pro Tem Ellis, and the motion carried.

- b. Section 551.074 – Personnel Matters: City Secretary

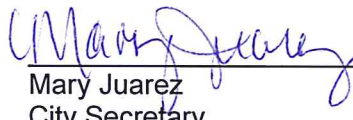
A motion was made by Council Member Hyatt to renew the contract with the City Secretary, Mary Juarez, seconded by Council Member Abrego, and the motion carried.

15. **ADJOURNMENT**

There being no further business to come before the Council, Mayor Chapa adjourned the meeting at 7:40 pm.



Adan Chapa
Mayor



Mary Juarez
City Secretary

Approved on: October 3, 2016